

08-12-05

04:14pm

From-PILLSBURY WINTHROP SHAW PITTMAN LLP

T-877 P.001/013 F-625



Pillsbury
Winthrop
Shaw
Pittman
 LLP

 2475 Hanover Street
 Palo Alto, CA 94304-1114
 Tel 650.233.4500 | Fax 650.233.4545
www.pillsburylaw.com

 11682 El Camino Real
 Suite 200
 San Diego, CA 92130-2082
 Tel 619.234.5000 | Fax 858.509.4010
www.pillsburylaw.com

RECEIVED
CENTRAL FAX CENTER
AUG 12 2005

FACSIMILE**Total Pages (including cover): 13**

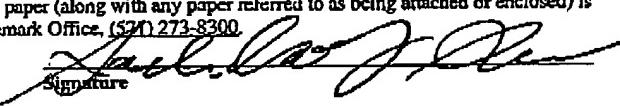
Century City	Date:	August 12, 2005	Must Be Sent By:
Houston	To:	Examiner H. Nguyen	Fax No:
London			(571) 273-8300
Los Angeles	Company:	USPTO, Art Unit 2633	Phone No:
New York			(571) 272-3092
Northern Virginia	Re:	In re Patent Application of	
Orange County		Inventors: Bernard et al.	
Palo Alto		Appln. No.: 10/783,716	
Sacramento		Filing Date: February 19, 2004	
San Diego		Title: OPTICAL LINE TERMINATION, PASSIVE OPTICAL	
San Diego-North County		NETWORK AND METHOD AND APPARATUS FOR	
San Francisco		PERFORMANCE MONITORING	
Silicon Valley	From:	Anthony G. Smyth	Phone No:
Stamford	User No:	15636	C/M No:
Sydney			858.509.4007
Tokyo			042860-0308305
Washington DC	Comments:		

Attachment(s):

CONFIDENTIALITY NOTE:
 The documents accompanying this facsimile transmission may contain confidential information which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, or the person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in this transmission is strictly PROHIBITED. If you have received this transmission in error, please immediately notify us by telephone and mail the original transmission to us. Thank you.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)
 I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office. (SAC 273-8300)

Date: August 12, 2005**SACHIKO Y. SNEDDEN**

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(j). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

If you have not properly received this fax, please call (619) 234-5000. Thank you.

Operator: _____ Time Sent: _____ Batch ID: _____

70084931V1

PAGE 1/13 * RCVD AT 8/12/2005 7:13:22 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/25 * DNIS:2738300 * CSID:+1 DURATION (mm:ss):02:52

PTO/SB/17 (12-04)
Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 200)

RECEIVED -

CENTRAL FAX CENTER

AUG 12 2005

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number _____

033975

Deposit Account Name: PILLSBURY WINTHROP
SHAW PITTMAN LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayment of fees(s) Credit any overpayments
under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	100	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Multiple dependent claims

Fee (\$)	Fee (\$)
50	25
200	100
360	180

Total Claims >20 =	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
28	>20 or HP = 1	X 0.00	= 0.00	Fee (\$)	Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims >3 =	Extra Claims	Fee (\$)	Fee Paid (\$)
7	>3 or HP = 1	X 200.00	= 200.00

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

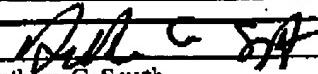
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50 =	(round up to a whole number)	X 250.00	=

4. OTHER FEE(S)

Non-English Specification, 130 fee (no small entity discount)

Other: _____

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	55636	Telephone	650233.4802
Name (Print/Type)	Anthony G. Smyth	Date	August 12, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.